

City of Corunna
Regular Council Meeting
Monday, June 4, 2001

Present: Billis, Bayless, Dumond, Hornus, Mehigh, Ockerman, Runyan.

Absent: None.

Guests: Joe Sawyer, City Manager; Ron Dean; Janet Washburn, Parks and Recreation Director; Larry LeCureux; State Representative Larry Julian; Jackie Leone, The Argus Press; Tim Crawford, Superintendent of Public Works; Gene Sanderson; Dick Sanderson; Bernie and Pat Yott; Sgt. Kevin Clark, Police Department; Chief Scott Johnson, Fire Department; Jim Winer; Robert Gilman; and other concerned citizens.

The meeting was called to order in the City Council Chambers by Mayor Billis at 7:00 p.m.

MINUTES OF THE PREVIOUS REGULAR MEETING: Dumond moved, Hornus seconded to approve the minutes of the previous regular meeting.

Roll call vote:

Yes: Ockerman, Dumond, Hornus, Runyan, Bayless, Mehigh.

No: None.

Motion CARRIED

AGENDA APPROVAL: Hornus moved, Dumond seconded to approve the agenda with the addition of the Manager's Report and Item No. 8) Consider Increasing the Membership of the Dam Review Committee and Appointment of an Additional Dam Review Committee Member, Item No. 9) Consider Computer Bids, Item No. 10) Consider Gazebo Reconstruction, and Item No. 11) Consider WIA Work Site Agreement (summer youth).

Roll call vote:

Yes: Bayless, Runyan, Mehigh, Ockerman, Dumond, Hornus.

No: None.

Motion CARRIED

APPROVAL OF VENDOR DISBURSEMENTS: Hornus moved, Dumond seconded to approve the vendor disbursements as presented.

Roll call vote:

Yes: Runyan, Ockerman, Bayless, Hornus, Mehigh, Dumond.

No: None.

Motion CARRIED

CALL TO AUDIENCE: Judy Horton complimented the department of public works on the work they did in the park and the village. The park looks beautiful.

MANAGER'S REPORT: Mr. Sawyer reviewed his manager's report with council and with those in the audience. He stated he received a request last Friday from the library for a listing of items that were reduced from the requested amounts in the next year's budget so he did a three-page spreadsheet, which showed all of the areas that the council did not grant the

requested amounts. Councilperson Ockerman stated he resented that and the library was out of line. He understood Mr. Sawyer was being cooperative, but it was not the library's business. Mr. Sawyer advised there was a letter to the editor in the Sunday Independent and he did not know if the library received his cut list prior to or after the editorial was submitted. Councilperson Ockerman asked if the cut list was sent to the library yet. Mr. Sawyer advised yes. Councilperson Ockerman stated he was very upset. The city council are elected officials who make the decisions, and an explanation was given to the library. Councilperson Ockerman further stated Mr. Sawyer did not need to do anything further.

CONSIDER ADOPTION OF BOND SALE RESOLUTION: Dumond moved, Ockerman seconded to adopt the following resolution to accept and award bids for the Streetscape Bond in the amount of \$490,000 to Chemical Bank and Trust Company and authorize the mayor and city clerk to sign the Bonds, Paying Agent Agreement, General and Non-Arbitrage Certificate, Receipt of Funds and other necessary paperwork as authorized in the bond resolution and authorize the mayor and city clerk to sign:

**CITY COUNCIL
CITY OF CORUNNA
(Shiawassee County, Michigan)**

**RESOLUTION ACCEPTING AND AWARDING BIDS
FOR STREETScape BOND**

WHEREAS, June 4, 2001, at 3:00 p.m., Eastern Daylight time, was set as the date and time for opening bids for the purchase of the \$490,000 City of Corunna General Obligation Limited Tax Public Improvement Bonds, Series 2001; and

WHEREAS, bids received were publicly opened and read in accordance with the Official Notice of Sale; and

WHEREAS, the following bids were received:

<u>BIDDER</u>	<u>NET INTEREST RATE</u>	<u>NET INTEREST COST</u>
Chemical Bank & Trust Co.	4.5158%	\$135,400.83
Raymond James	4.542%	\$136,213.00
Comerica Securities	4.54085%	\$136,150.00

WHEREAS, the bid of Chemical Bank & Trust Company has been determined to produce the lowest interest cost to the City.

NOW, THEREFORE, BE IT RESOLVED THAT:

The bid of Chemical Bank & Trust Company as above stated, be and the same is hereby accepted.

Checks of the unsuccessful bidders be returned to each such bidder's representative either personally or by registered mail.

All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Roll call vote:

Yes: Hornus, Mehigh, Dumond, Bayless, Ockerman, Runyan.

No: None.

Motion CARRIED

CONSIDER PROPOSAL FOR ENGINEERING SERVICES FOR UTILITY MASTER MAPS:

Ockerman moved, Hornus seconded to approve the Utility Master Mapping Contract with Capital Consultants in the amount of \$17,500 with \$3,750 to be paid out of line item 590-548-821, \$3,750 to be paid out of line item 591-556-821, and \$10,000 out of line item 101-441-818 and authorize the mayor to sign the contract.

Roll call vote:

Yes: Mehigh, Bayless, Runyan, Dumond, Hornus, Ockerman.

No: None.

Motion CARRIED

CONSIDER PURCHASE OF TABLES AND CHAIRS FOR COMMUNITY CENTER:

Bayless moved, Hornus seconded to authorize the purchase of tables and chairs for the community center including a storage rack in an amount not to exceed \$3,000 to be paid out of line item 101-692-745 and authorize the city manager to obtain bids and execute the purchase. Councilperson Bayless advised the new tables and chairs will go into the community center and the older tables will be moved to the commercial building. He further advised the new tables and chairs would never be moved out of the community center. Councilperson Ockerman stated he liked the idea until he saw the cost. The community room could be rented out for the next hundred years without recouping what was spent. Councilperson Bayless advised the community center has a table shortage. Councilperson Ockerman asked if the community center needed that many table and chairs. Janet Washburn advised there is a trailer rally coming to the park this weekend, and they need chairs for 160 to 180 people. Mayor Billis asked how many trailers would be in the park. Ms. Washburn advised 50 trailers. She further advised the lower level of the community center has been rented out for an evening dinner, and the ballroom dancers will be in the upper level. She also advised that close to \$2,000 in rental fees would be paid to the city for this particular weekend. Councilperson Ockerman stated the existing chairs could be moved to the commercial building. Ms. Washburn stated council should take a look at some of the tables. Some of the tables are not in good shape, but they are good enough to be moved to the commercial building. Mr. Sawyer advised the tables take a lot of abuse when they are moved back and forth between the commercial building and the community center. Councilperson Ockerman asked what the total amount was. Mr. Sawyer advised \$3,000. Councilperson Ockerman asked if the tables would be stored on table racks. Ms. Washburn advised yes. Councilperson Ockerman asked if the bids included table racks. Ms. Washburn advised no, there are table racks in the community center. Councilperson Ockerman stated he felt it would be better to have a table rack. He asked if anyone had any idea on what a table rack would cost. Ms. Washburn advised a table rack would probably cost more than \$100. Mayor Billis asked if

the table rack would cost under \$500. Ms. Washburn advised yes. Councilperson Ockerman suggested purchasing a table rack and eliminating a table and some chairs in order to keep the cost under \$3,000. Ms. Washburn advised she would gladly do that. Councilperson Runyan suggested building a table rack instead of purchasing one because it would be cheaper.

Roll call vote:

Yes: Dumond, Hornus, Ockerman, Mehig, Bayless.

No: Runyan.

Motion CARRIED

CONSIDER BUDGET AMENDMENTS: Ockerman moved, Runyan seconded to adopt the following resolution to amend the 2000/2001 budget as presented with the following changes:

Increase Fire Department to \$98,611
Decrease City Services to \$209,200
Increase McCurdy Park Community Center to \$22,015
Decrease Summer Rec. Baseball/Softball to \$20,350

RESOLUTION TO AMEND THE 2000/2001 BUDGET

WHEREAS, The City Council of the City of Corunna desires to Amend the 2000/2001 Budget to Correct the Original Appropriation, Adjust Departmental Expenditures within the Corrected General Fund Appropriation, Fund a Municipal Building and Parks Improvement Fund, Provide Funding for Certain Capitol Projects, and Correct and Establish Appropriations for Independent Revenue Funds;

NOW THEREFORE BE IT RESOLVED, that the budget for the City fiscal year beginning July 1, 2000 after recommendation by the City Manager be amended by the City Council as described in summary as follows:

		<u>FROM:</u>	<u>TO:</u>
General Fund Revenues:		\$1,609,464	\$1,624,464
General Fund Expenditures:			
<u>Dept. #</u>	<u>Dept. Name</u>	<u>FROM:</u>	<u>TO:</u>
101	City Council	\$9,925	\$8,425
172	City Manager's Office	\$80,590	\$83,590
191	Elections	\$9,000	\$11,700
203	Internal Services	\$69,885	\$66,885
210	Legal Assistance	\$28,000	\$25,000
215	City Clerk's Office	\$80,245	\$78,245
253	City Treasurer's Office	\$71,636	\$74,636
265	Municipal Building	\$60,850	\$42,350
284	Community Promotion	\$8,550	\$10,050
301	Police	\$466,984	\$400,610
336	Fire	\$116,111	\$98,611
371	Building – Zoning	\$4,900	\$21,382.50
430	Crossing Guard	\$5,262	\$2,262

441	Public Works	\$274,635	\$256,585
458	Construction Projects	\$0.00	\$50,000
691	Parks & Recreation	\$97,800	\$66,300
692	McCurdy Park Community Center	\$23,665	\$22,015
695	Assessment Review	\$14,860	\$21,342.50
698	Summer Rec. Baseball/Softball	\$15,850	\$20,350
750	City Services	\$115,700	\$209,200

		<u>FROM:</u>	<u>TO:</u>
General Fund Expenditures Totals:		\$1,609,373	\$1,624,464

BE IT, the same is hereby adopted, and the amount therein provided as recommended; appropriations are hereby appropriated according to the departmental totals.

BE IT FURTHER RESOLVED, to amend the following budgets:

INDEPENDENT REVENUE FUNDS		From:	To:
Major Street Fund	202	\$126,266	\$249,149
Local Street Fund	203	\$86,120	\$200,790
Municipal Building Fund	207	\$0	\$17,500
Parks Improvement Fund	208	\$0	\$39,700
Cemetery Fund	209	\$26,425	\$33,025
City Improvements Fund	245	\$225,818	\$257,989
Library Fund	271	\$67,099	\$70,500
1996 Equalization Facility Bonds Payable Fund	365	\$40,787	\$44,990
1996 G.O. Limited Tax-Bonds Fund	366	\$110,343	\$111,853
1998 MTF Bonds Payable	368	\$20,180	\$19,718
2000 G.O. Limited Tax Bonds	370	\$0	\$30,669
Stu Coutts Recreation Fund	419	\$9,360	\$6,580
Economic Development	420	\$27,600	\$31,777
Library Technology Fund	475	\$0	\$26,450
Kingsley/McArthur Construction Fund	517	\$0	\$1,392,000
Streetscape Construction Fund	530	\$0	\$634,000
Bridge Construction	532	\$0	\$76,200
Waste Water Collection Fund	590	\$477,500	\$749,500
Water Fund	591	\$472,250	\$683,550
Motor Vehicle Pool Fund	661	\$141,012	\$138,889
Tax Collections Fund	870	\$2,160,671	\$2,604,672
Downtown Development Authority		\$0	\$94,336
Fourth of July Commission		\$0	\$19,650
Historical Commission		\$0	\$25,800
Softball Commission		\$0	\$16,500

Roll call vote:

Yes: Ockerman, Dumond, Hornus, Runyan, Bayless, Mehigh.

No: None.

Motion CARRIED

VIDEO PRESENTATION BY RON DEAN: Mayor Billis asked Mr. Dean how long his presentation

would take. Mr. Dean advised 15 to 20 minutes. Councilperson Ockerman suggested ending the presentation at 8:00 p.m. Mr. Dean passed out pictures and maps of the McBride Drain District. Councilperson Ockerman stated he had no objection if State Representative Julian needed a few minutes beyond 8:00 p.m. Mr. Dean stated State Representative Julian was present the same night he made his presentation to Caledonia Township. Mr. Dean further stated State Representative Julian heard his concerns and that is why he was present tonight. Mr. Dean pointed out where the actual drain issue was at in the McBride Drain District. Councilperson Ockerman asked if the drainage issue was at McNeil Street and Dutcher Street. Mr. Dean advised no, the problem was on M-71 just outside of the Corunna city limits. He explained the drain district goes from Kerby Road to the east, Hibbard Road to the south, State Road to the west and to the top of Parmenter Road to the north. He further explained the water runs down to the railroad track drain, crosses M-71, runs down to the old railroad track bed then across the filled property in Caledonia Township, which is just outside the city limit property line, and down M-71. He stated 90 percent of the water stays on the south side of the railroad track and is filling the top of the Corunna Surface Drain before the drain starts to flow. He further stated he has contacted the drain commissioner's office, and they are assuring him that something is going to happen with that drain. But if something does not happen then the city council needs to take action by declaring eminent domain, abandoning the right-of-way, or filling in the area by the end of the city limits. He also stated this would stop the water from coming down the railroad track bed. Councilperson Runyan asked Mr. Dean if he received an answer from the railroad. Mr. Dean advised he received a letter from Bill Barclay, who is the land manager for the Strikes Corporation, and they are denying access to that property for fear of contaminated soil being present either incidentally or accidentally. Mr. Dean played his video for council and the audience to view, which shows the quantity of water that is coming off the railroad track bed. He stated he told the city assessor in 1995 that there would be problems when the railhead was removed. He further stated Mr. Svrcek dug a ditch behind his house, which protects his house in that area, but now, the water is running in front of his house. He also stated he was willing to wait to see if the drain commissioner's office will come through with something that will solve the problem. Mr. Dean advised that Tina Hornus has assured him that something will be done within the next two or three months, but council has to be ready if something is not done. Mr. Dean further advised the water will be 10 times as bad the next time because the Michigan Department of Transportation has closed off the ditch, and there is no way that amount of water will go into a 24-inch intake. Councilperson Ockerman asked what the Michigan Department of Transportation was doing in that area because he has noticed that the ditch and drain on the south side of the road has been widened. Mr. Sawyer stated the drain starts off as a 48-inch drain and reduces as it travels down the highway. The drain was designed to handle the highway water and not to divert the McBride Drain water in any way, shape or form. He further stated he and Mr. Crawford went out to the work site several weeks ago and walked the whole rail bed. The area was fairly dry, but a trickle of water was seen coming down the old rail bed even though it had not rained in a week. He also stated when it rains at least one-half of the water shed that washes into town overwhelms the Corunna Surface Drain, which he and Mr. Crawford suspects ends up in the city's sanitary sewer. The water level gets

above the manhole level for the sanitary sewer so the water goes right into the sanitary. Mayor Billis stated this area might be a major water infiltration site. He asked State Representative Julian if he had anything to say. State Representative Julian stated he wanted to applaud Mr. Dean for doing a whale of a job in documenting the situation. State Representative Julian further stated he happened to go out to the area in February when there was water going across the road. Last Friday, he met with Bernie Butcher from the drain commission and Jack Powell from the road commission. The situation is a concern to everyone, and the Michigan Department of Transportation will have to get involved. State Representative Julian advised he was told the drain commission could do a few things until it gets to M-71, but the problem then becomes a Michigan Department of Transportation problem. He further advised he hopes that all of the agencies involved will get something going. Everyone agrees that the situation needs to be corrected, but obviously, the situation will take dollars to fix it. Mr. Sawyer advised the city does have some corporate limits that is draining into the McBride Drain. Mr. Dean stated the path water is supposed to go to the Hawkins Bridge and Kerby Road area, but the water is going to the city dam before it has time to spread out naturally. Mayor Billis advised the city cannot solve the problem by itself and agreed that all of the agencies need to work together to fix the situation. Ockerman moved, Hornus seconded to instruct the city manager to investigate the McNeil Street drain problem and report back to council at the July 2, 2001 council meeting. Councilperson Runyan asked why the water was going all of the way to the City of Corunna and out to Kerby Road instead of being routed straight north to the river. Mayor Billis advised there was a motion on the table to have the city manager investigate the situation and report back to council. Mr. Sawyer advised the McBride Drain is an old county drain, which predates the Corunna Surface Drain.

Roll call vote:

Yes: Bayless, Runyan, Mehig, Ockerman, Dumond, Hornus.

No: None.

Motion CARRIED

CONSIDER APPOINTING AUTHORIZED OFFICIAL TO REQUEST TRUNKLINE CLOSURE

PERMITS: Dumond moved, Hornus seconded to appoint Yvonne Long as the authorized official to request trunkline closure permits for a term beginning on June 4, 2001 for a term of two (2) years or until a successor is appointed.

Roll call vote:

Yes: Runyan, Ockerman, Bayless, Hornus, Mehig, Dumond.

No: None.

Motion CARRIED

CONSIDER PURCHASE OF SUMMER RECREATION EQUIPMENT: Mr. Sawyer advised the city has had multiple things happen that ruined some of the summer recreation equipment that was stored in the old bunkhouse building in the park. There is also some equipment that is worn out that needs replacing. He further advised the city received a check for \$2,000 on Friday from the insurance company so the good news is the city will get \$4,500 worth of

equipment, and it will only cost the city \$2,500. Bayless moved, Hornus seconded to authorize the purchase of summer recreation equipment in an amount not to exceed \$4,500 to

be paid out of line item 101-698-763 and authorize the city manager to obtain bids and execute the purchase.

Roll call vote:

Yes: Hornus, Mehig, Dumond, Bayless, Ockerman, Runyan.

No: None.

Motion CARRIED

CONSIDER INCREASING THE MEMBERSHIP OF THE DAM REVIEW COMMITTEE AND APPOINTMENT OF ADDITIONAL DAM REVIEW COMMITTEE MEMBER:

Mehigh moved, Ockerman seconded to increase the membership of the Dam Review Committee from three members-at-large to four members-at-large and to appoint Bill Lulham, Jr. to the Dam Review Committee as a member-at-large.

Roll call vote:

Yes: Mehig, Bayless, Runyan, Dumond, Hornus, Ockerman.

No: None.

Motion CARRIED

CONSIDER COMPUTER BIDS: Ockerman moved, Hornus seconded to authorize the purchase of a computer system in an amount not to exceed \$1,750 with half to be paid out of line item 101-695-977 and half to be paid out of line item 101-371-977 and authorize the city manager to obtain bids and execute the purchase. Mr. Sawyer advised he might take the new computer system for his office and move the older computer system to the shared office area.

Roll call vote:

Yes: Dumond, Hornus, Ockerman, Mehig, Runyan, Bayless.

No: None.

Motion CARRIED

CONSIDER GAZEBO RECONSTRUCTION: Dumond moved, Ockerman seconded to authorize the payment of \$4,437.50 as 50% payment to Complete Builders to reconstruct the gazebo from line item 208-751-818 with the donor sign to be placed back on the gazebo.

Roll call vote:

Yes: Ockerman, Dumond, Hornus, Runyan, Bayless, Mehig.

No: None.

Motion CARRIED

CONSIDER WIA WORK SITE AGREEMENT (SUMMER YOUTH): Mayor Billis asked if the city manager was entering into a contract with these people. Mr. Sawyer advised the ordinance specifies the mayor, clerk, city manager and legal council need to sign all agreements and contracts in the city. He further advised according to the city attorney's legal opinion all of the signatures were required for employment contracts and Michigan Department of Transportation contracts. Until the ordinance is revised, it would be safe to operate under past practices. Mayor Billis stated so the answer to the question would be yes. Mr. Sawyer advised yes. Mayor Billis asked if Mr. Sawyer was asking council to approve the contract without the mayor or clerk signing the documents. Mr. Sawyer stated ignoring past practice would not authorize him to sign the contract nor would it authorize the mayor to sign any of the issues that council authorized him to sign this evening. Ockerman moved, Hornus seconded to authorize the city manager to negotiate and enter into a WIA Worksite

Agreement with Baker College of Owosso Business and Corporate Services Division for the summer of 2001. Mr. Sawyer stated the ordinance relating to signatures on documents and the lack of a purchasing ordinance are two priorities for him come July 1 because they need to be addressed and fixed. Mayor Billis stated the two issues should have been addressed and fixed prior to this meeting. Councilperson Hornus asked if the agreement would cost the city anything. Mr. Sawyer advised no. Councilperson Hornus asked why procedures, time sheets, payroll was in the contract. Mr. Sawyer advised Baker College would supply a supervisor who would handle all those things. In the past, the program was kind of troublesome, and it took a lot of Mr. Crawford's time. Councilperson Ockerman asked Mr. Crawford if he was comfortable with the agreement. Mr. Crawford advised he needed to see what the supervisor's responsibilities would be. He further advised he wanted the kids to do some painting in the park last year and was told the kids could not paint. Mr. Sawyer stated the kids were too young. He further stated he would be working with Mr. Crawford on the agreement to make sure both of them were comfortable with the agreement. Councilperson Ockerman asked if there would be any city liability. Mr. Sawyer advised no, Baker College would carry worker's compensation on the workers. Councilperson Mehigh asked if the kids would be over 16 years old so they would be able to do more things. Mr. Sawyer advised yes. Mr. Crawford advised he was originally told the kids could paint last year and that is what he had the kids do, but after two-thirds of the painting was done, he was told the kids could not paint so he told the college he could not use the kids. Mayor Billis asked Mr. Sawyer if he knew the ordinance well enough to advise council who is supposed to sign contracts. Mr. Sawyer advised the ordinance states all agreements and contracts are to be signed by the mayor, city manager, clerk and legal council. Mayor Billis asked if the city attorney gave Mr. Sawyer a legal opinion. Mr. Sawyer advised the city attorney gave council a legal opinion and that is what the ordinance states, but that has never been the city's practice other than for employment contracts and Michigan Department of Transportation contracts. Mayor Billis asked Mr. Sawyer if he could see any reason for putting something into the city's ordinance that would protect the city. Mr. Sawyer advised not the way the ordinance is written now. If council looks at the intent issue, it was clearly not council's intent to have the city attorney review every Stu Coutts Pavilion lease agreement. He further advised it would not make a lot of sense to receive a \$25 rental fee and pay a \$75 legal bill every time the facility is rented.

Roll call vote:

Yes: Bayless, Runyan (under protest), Mehigh, Ockerman. Dumond, Hornus.

No: None.

Motion CARRIED

CALL TO AUDIENCE: Gene Sanderson asked Mr. Sawyer when the meeting with the contractors was held. Mr. Sawyer advised every Friday at 10:30 a.m. in the council chambers. He informed the audience there is a progress meeting every Friday with the contractors and the Michigan Department of Transportation, which gives the residents and business owners a chance to ask questions and to resolve problems.

ADJOURN: Dumond moved to adjourn.

Roll call vote:

Yes: Runyan, Ockerman, Bayless, Hornus, Mehigh, Dumond.

No: None.

Motion CARRIED Time was 8:33 p.m.

DR. JAMES BILLIS, MAYOR

YVONNE F. LONG, CITY CLERK